

"CERTAINLY NOT WILLING TO GO BACK TO KLEIST," SAYS BREITUNG HEIRESS



Photo G. G. Bain.
Edward N. Breitung, his wife and his daughter, Juliet Breitung Kleist, listening to evidence in court yesterday.

Continued from First Page.

"I will wait gladly until things straighten out and then we will get married again and we will be much happier after all the sorrow we have gone through. I ask you again please not to give me away."

The girl waited several days and then she wrote him to tell her any more letters to the grand central post office, but to send them to the general delivery. "Keep your hopes high, my dearest boy," she wrote, "because we have to suffer for the awful mistake we made, but it will only be for a time and love binds us together. Max dear, and love is stronger than any other force on earth and after a year or less time, I hope, we will get married again in the right way and go away together."

"What's Mine is Yours."

"I read your letter about when you were broke. I want you to know you don't owe me anything. Whatever is mine is yours."

"I am always never going to keep anything from you, no matter what it is. Please trust me, and I know you do. I trust you like I trust in God. Your loving wife, Juliet."

On the day before Christmas, 1913, the girl wrote Kleist another letter telling him she would give him for himself before she would give him up. She asked him to write to her three times a week from the West. "I will make a fight for you stronger than anything else," she wrote, "and if I don't win I will either flee from the family or shoot myself, because I could not live without you. I do not care now, I am only half alive and I will live again when I am with you."

The reading of the letters formed the last part of the plaintiff's case. Before that, however, Crowley called Ada Gaffner, formerly a maid in the Breitung household. She told first of a conversation in the Breitung suit.

She testified that after the parents had learned of the marriage, "Juliet answered, 'Yes, father,' the maid testified. 'Then I heard Mr. Breitung said he would send the boy to New Mexico.'"

Further on the maid said she heard the father say to his daughter: "You can choose between two things. You can go with Max and I will have him arrested for non-support, or you can stay at home and I will send Max to New Mexico. If he makes good and loves you you can live with him."

Tells of Black Eye.

The maid testified that Mrs. Breitung said the marriage was not legal and because the girl had lied in the church. She also testified that Mrs. Breitung directed her not to let Juliet get any mail or to take to anybody on the telephone. She said two letters came for the girl which were given by her to Mrs. Breitung, who put them in a bureau drawer. She said she heard instructions to the girl to write "cold letters" to Kleist. The maid then quoted the mother as saying Kleist was no match for the girl.

"Was there any physical conflict between the mother and the girl?" asked the lawyer.

"Yes."

"After the fight were there any marks on the girl?"

"Yes. Mrs. Breitung had a torn shirtwaist and Juliet had a torn shirtwaist and a black eye."

"She has two black eyes," interjected De Lancy Nicol, attorney for the defense, with a laugh.

The maid said Juliet showed letters to her father. Mrs. Breitung, who testified that she described the meeting between the girl and Kleist in Marquette, Mich., when the maid introduced the two, requested an introduction to Kleist after the maid had told her of a beach party in which six servants and two or three men dined after that introduction, she said. Juliet talked about Kleist and said she loved him. The maid then continued the maid, "she said," continued the maid, "that she never would marry the man her mother had chosen for her. She wanted to marry the man who was herself close. She wanted a man who was the picture of health, like Max."

On cross-examination Mr. Nicol wanted to know if the maid had told Mrs. Breitung about the relations between Juliet and Kleist. She said she had not.

Judge Surprises Crowley.

That ended the case for the plaintiff, except for the letters which were introduced after what she said. Meantime Mr. Nicol made a motion for dismissal of the case on the ground that the plaintiff had not presented sufficient evidence. In the course of the argument Judge Hand surprised Mr. Crowley by his views on the law governing the situation.

"The parents," he said, "had a right to keep their daughter and her husband apart by any legal means possible. They had the right to give her any advice which they honestly thought would be for her welfare. It makes no difference whether the parents should appear to be snobs or not."

The judge said he was inclined to dismiss the case as to Mr. Breitung and Crowley argued hard and long to convince him that both defendants should have to put in a defense. He mentioned the socks.

"Well," said the judge with a laugh, "the question of the socks troubles me very much. Maybe the defendant will have to go to the jury on the question of the socks."

After luncheon Mr. Nicol argued in

behalf of his motion, but Judge Hand denied the motion, giving Mr. Nicol the right to renew the motion later. Then followed the introduction of the letters, and Mr. Nicol began the presentation of the testimony for the defense. Mr. Breitung was the first witness.

He told of learning of the marriage of his daughter and Kleist. He sent for Kleist, he said, and had a talk with him.

"I tried to find out from him what it all meant," he said. "I asked him about his future, what he meant to do, but the boy was not clear. I ascribed to the belief that he was upset. I asked him why he had left home and he said he was dissatisfied with life on the farm. I asked him if he had money and he said 'little.' I asked if he had work and he said 'No.'"

Gave Money to Kleist.

Mr. Breitung denied he had said anything about annulment, because he knew that was not possible. Asked what Mrs. Breitung had said to Kleist, he replied: "Mrs. Breitung was very much upset, of course, and she talked to the boy."

"Your daughter lured me to New York. I know all about you and your family. I am going to expose you," he accused Mrs. Breitung of not being respectable and also her family of not being respectable.

"I asked my daughter there if she loved him and she said she didn't."

Mr. Breitung told of giving "a little money" to Kleist. He denied that Mrs.

Chinese Editor Made Prisoner in a Raid

Rival Tong Had Given Hint of Big Opium Smuggling Project.

Lee Fong, 40, editor of the Chinese Daily News and secretary of the Chinese Masonic Society, was held in \$1,000 bail for trial by Magistrate Deuel in the Tombs police court yesterday, charged with carrying a revolver without a permit.

Lee Sing, 36, a restaurant keeper, was held in \$2,000 bail on a charge of having a pistol and of possessing opium.

Both men were arrested early yesterday morning in a raid on 61 Bayard street, where they live.

They were charged with being members of the Hip Sing tong, who were holding a Masonic convention there.

The detectives and Federal agents who accompanied Mr. Stanton searched the Chinese because word had been received from a rival tong that a widespread campaign of opium smuggling was to be inaugurated in Chinatown.

No opium was found on any of the men, but in an adjoining room were four quart bottles of liquid opium.

The Chinese charged Lee Sing with keeping the opium and they said they found a revolver in one pocket of a "bullet-proof" vest on his back, which he wore next to his skin.

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Olive-Celery-Radishes

Potage Illinois

Filet of Striped Bass, Republic

Poached Egg, President

or

Chicken Fricassee, American

Rice, Potatoes in Parsley Butter

Chicory Salad

Strawberries with

Vanilla Ice Cream

Assorted Cakes

Coffee, Tea, Cider, Milk.

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HIPPODROME WINTER CIRCUS

OF SUBLIMATED STRENGTH

44TH ST. THEATRE, West of B'way, Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

PRINCESS 2nd St. Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

LYRIC 2nd St. Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

SHUBERT 44th St. Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

BOOTH THEATRE, W. 46th St. Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

TO-NIGHT 44th St. Eves. 8:15. To-day Mat. 2:15. Tomorrow & Wed. 2:15. "Owing to the enormous success Thursday Eve. 'Hippodrome' will be given Saturday Night in order to enable the public, as already announced, will be the daily bill.

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